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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
(Greenbelt Division)

In re:

GREGORY B. MYERS,

Debtor.

Case No. 15-26033-MCR
(Chapter 7)

BRIAN KING, *et al.*,

Plaintiffs,

v.

Adv. No. 24-00007

ROGER SCHLOSSBERG, Trustee,

Defendant.

SECOND MOTION TO DISQUALIFY JUDGE MARIA ELENA CHAVEZ-RUARK

Comes now Gregory B. Myers ("Mr. Myers"), pursuant to 28 U.S.C. § 455(a) and 28 U.S.C. § 455(b)(5)(iii), moves for Judge Maria Elena Chavez-Ruark ("Judge Ruark") to disqualify herself from further participation in these proceedings due to the July 2, 2025, filing of THIRD PARTY COMPLAINT AND DEMAND FOR TRIAL BY JURY in Adv. No. 24-00007, against, *inter alia*, JUDGE MARIA ELENA CHAVEZ-RUARK, in her official capacity, a copy of which is attached hereto as **Exhibit A**.

When the impartiality of a judge is in doubt, the appropriate remedy is to disqualify that judge from hearing further proceedings in the matter. In *Caperton v. A. T. Massey Coal Co.*, 1129 S. Ct. 2252 (2009), a case concerning disqualification of a state supreme court justice, the U.S. Supreme Court reaffirmed that litigants have a due process right to an impartial judge and that,

under circumstances in which judicial bias was probable, due process required disqualification. The court noted, however, that disqualification rules may be and often are more rigorous than the Due Process Clause requires. So it is with disqualification requirements for federal judges, which require disqualification when a judge's impartiality "might reasonably be questioned." 28 U.S.C. § 455(a).

WHEREFORE, Mr. Myers requests that Judge Ruark enter an Order immediately disqualifying herself from any further participation in these proceedings.

RESPECTFULLY SUBMITTED on this 3rd day of July, 2025.



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 3, 2025, a copy of the foregoing was furnished to the following parties:

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